

REMARKS

Claims 1-22 are pending in the present application.

Claims 1-22 have been rejected.

Claims 1, 9, 17 and 22 have been amended to place the claims in better condition for allowance or appeal.

Claims 1-22 remain in the present application.

Reconsideration of the claims is respectfully requested.

In Section 4 of the January 13, 2005, Office Action, the Examiner rejected Claims 1, 3-6, 8, 9, 11-14, 16, 17, 19, 21 and 22 under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6,243,590 to *Reddy et al.* ("*Reddy*") in view of United States Patent No. 6,545,616 to *Haimi-Cohen* ("*Haimi-Cohen*"). In Section 5 of the Office Action, the Examiner rejected Claims 2, 10 and 18 under 35 U.S.C. 103(a) as being unpatentable over *Reddy* and *Haimi-Cohen* and further in view of United States Patent No. 6,038,452 to *Strawczynski et al.* ("*Strawczynski*"). In Section 6 of the Office Action, the Examiner rejected Claims 7, 15 and 20 under 35 U.S.C. 103(a) as being unpatentable over *Reddy* and *Haimi-Cohen* and further in view of United States Patent Publication No. 2002/0003789 to *Kim et al.* ("*Kim*").

The Applicants respectfully direct the Examiner's attention to amended independent Claim 1, which recites the unique and non-obvious limitations emphasized below:

1. For use in a base station of a wireless network capable of communicating with mobile stations located in a coverage area of said wireless network, an apparatus for assigning a vocoder associated with said base station to process call traffic associated with a first said mobile station, said apparatus comprising:

a connection network capable of connecting a plurality of vocoders of differing capabilities to a plurality of channel elements, each of said plurality of channel elements capable of processing forward channel messages transmitted to said first mobile station and reverse channel messages received from said first mobile station; and

a controller capable of receiving an overhead message transmitted by said first mobile station and extracting from said overhead message a data value suitable for indicating if said first mobile station is capable of transmitting and receiving TTY/TDD Baudot code traffic, wherein said controller causes said connection network to connect a first channel element processing forward and reverse channel messages associated with said first mobile station to a first selected vocoder capable of processing TTY/TDD Baudot code traffic if said data value indicates said first mobile station is capable of transmitting and receiving TTY/TDD Baudot code traffic. (*emphasis added*)

The Applicants respectfully assert that the above-emphasized limitations are not disclosed in the *Reddy* reference, the *Haimi-Cohen* reference, or in the combination of the *Reddy* reference and the *Haimi-Cohen* reference.

The *Reddy* reference describes a method for selecting a vocoder type for the origination of a mobile telephone call. *See Reddy, Abstract*. A mobile telephone establishes contact with a base station by sending an access probe that includes an indication of the type of vocoder that the mobile telephone will use to encode the voice data. *See Reddy, col. 1, lines 41-63*. If the base station does not recognize the requested vocoder, the base station rejects the call. *See Reddy, col. 1, lines 65-67*. When such a rejection occurs, and the mobile telephone is capable of using more than one type of vocoder, the mobile telephone sends a second access request indicating a different type of vocoder. *See Reddy, col. 2, lines 29-33*.

Thus, the *Reddy* reference does not teach connecting a vocoder capable of processing TTY/TDD Baudot code traffic, selected from among a plurality of vocoders of differing capabilities,

to a channel element for processing messages associated with a mobile station, where the connection is made according to message from the mobile station indicating the mobile station is capable of transmitting and receiving TTY/TDD Baudot code traffic, as recited in Claim 1. On the contrary, the *Reddy* reference describes a mobile station that selects from among a plurality of vocoders within the mobile station, according to the type of vocoder in use in a base station. Furthermore, the Applicants respectfully assert that the *Haimi-Cohen*, *Strawczynski*, and *Kim* references do nothing to overcome this shortcoming.

This being the case, Claim 1 presents patentable subject matter over the *Reddy* reference and the *Haimi-Cohen* reference. Additionally, dependent Claims 2-8, which depend from Claim 1, contain all of the unique and novel limitations recited in independent Claim 1. Claims 2-8 are therefore patentable over the *Reddy* reference and the *Haimi-Cohen*, *Strawczynski*, and *Kim* references.

Furthermore, independent Claims 9, 17 and 22 recite limitations that are analogous to the unique and novel limitations recited in Claim 1. This being the case, Claims 9, 17 and 22 are patentable over the *Reddy* reference and the *Haimi-Cohen* reference. Dependent Claims 10-16, which depend from Claim 9, and dependent Claims 18-21, which depend from Claim 17, contain all of the unique and novel limitations recited in independent Claims 9 and 17, respectively. Thus, Claims 10-16 and 18-23 are patentable over the *Reddy* reference and the *Haimi-Cohen*, *Strawczynski*, and *Kim* references.

SUMMARY

For the reasons given above, the Applicants respectfully request reconsideration and allowance of pending claims and that this Application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this Application, the Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@davismunck.com*.


The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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